

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

| | | |
|-------------------------------------|---|----------------|
| AN INVESTIGATION OF TOLL AND ACCESS |) | |
| CHARGE PRICING AND TOLL SETTLEMENT |) | |
| AGREEMENTS FOR TELEPHONE UTILITIES |) | CASE NO. 8838 |
| PURSUANT TO CHANGES TO BE EFFECTIVE |) | PHASE I |
| JANUARY 1, 1984 |) | |
| |) | |
| AND |) | |
| |) | |
| DETARIFFING BILLING AND |) | ADMINISTRATIVE |
| COLLECTION SERVICES |) | CASE NO. 306 |

O R D E R

On July 19, 1990, Commission issued an Order clarifying previous orders in this proceeding which allow the local exchange carriers ("LEC") to bill and collect for regulated 976 access services provided by the LECs to vendors but prohibiting unregulated vendor charges by 976 providers from appearing on LEC bills. The Commission then granted any LEC which currently has a tariff on file that is in noncompliance with this Order 20 days to file tariffs conforming with this requirement or to request a hearing for the purpose of showing why they should not have to comply with this requirement.

The following LECs have requested a hearing in this matter:
South Central Bell Telephone Company; GTE South Incorporated;

Cincinnati Bell Telephone Company; Contel of Kentucky, Inc.; and the Independent Telephone Group.¹ Further, some LECs requesting a hearing have also requested a stay of the tariff filing requirement contained in the July 19, 1990 Order.

AT&T Communications of the South Central States, Inc., MCI Telecommunications, Inc., and US Sprint Limited Partnership Company ("US Sprint") have also filed a request for a hearing of the requirements concerning billing prohibitions of 900 and 976 vendor charges contained in the July 19, 1990 Order. US Sprint requests that rehearing of the July 19, 1990 Order be granted or in the alternative that the Commission institute a generic investigation of 900 and similar enhanced services. Further, US Sprint seeks a stay of the requirements of the July 19, 1990 Order concerning the 900 billing prohibition.

The Commission, having considered the requests for hearing and having been otherwise sufficiently advised, HEREBY ORDERS that:

1. The requests for hearing concerning the July 19, 1990 Order be granted.

¹ Ballard Rural Telephone Coop., Brandenburg Telephone Company, Duo County Telephone Coop., Inc., Foothills Rural Telephone Coop., Harold Telephone Company, Highland Telephone Coop., Logan Telephone Coop., Mt. Rural Telephone Coop., North Central Telephone Coop., Peoples Rural Telephone Coop., South Central Rural Telephone Coop., Thacker & Grigsby Telephone Company, West Ky. Rural Telephone Coop.

2. Having granted the request for hearing, US Sprint's alternative request for a generic investigation of enhanced services is hereby denied.

3. The stay granted in the July 19, 1990 Order at Ordering Paragraph 3 shall remain in effect pending the outcome of hearing on matters contained herein.

4. All parties shall file testimony, containing a witness or witnesses who will be subject to examination at a hearing, addressing issues discussed in the requests for hearing within 20 days of the date of this Order.

5. Within 40 days of the date of this Order, data requests of any party, if any, shall be filed with the Commission and served on all parties and responses shall be filed ten days thereafter.

6. A hearing has been scheduled on December 11, 1990, at 10:00 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky 40601.

Done at Frankfort, Kentucky, this 17th day of August, 1990.

ATTEST:


Executive Director

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner